



**CITY COUNCIL  
MEETING MINUTES**

**December 7, 2009 7:30 PM**

**I. CALL TO ORDER**

**A. Flag Salute**

Mayor Peter B. Lewis called the meeting to order at 7:30 p.m. and led those in attendance in the Pledge of Allegiance.

**B. Roll Call**

The following Councilmembers were present: Rich Wagner, Sue Singer, Gene Cerino, Bill Peloza, Lynn Norman and Virginia Haugen. Councilmember Nancy Backus was excused.

Staff members present included: City Attorney Daniel B. Heid, Acting Planning Director Kevin Snyder, Traffic Engineer Pablo Para, Public Works Director Dennis Dowdy, Chief of Police Jim Kelly, Park Planning and Development Manager Bob Wuotila, Parks, Arts and Recreation Director Daryl Faber, Information Services Director Lorrie Rempher, Principal Planner Jeff Dixon, Principal Planner Elizabeth Chamberlain, Finance Director Shelley Coleman, Emergency Preparedness Manager Sarah Miller, and City Clerk Danielle Daskam.

**C. Announcements and Appointments**

**1. Announcements**

**a) Proclamation - "2009 Tree Steward"**

Mayor Lewis read and presented a proclamation declaring Marilyn Dollinger as 2009 Tree Steward for preservation of her London Plane trees located at 12 G Street NW and declaring them as "Significant Trees".

Mayor Lewis was joined by Parks, Arts and Recreation Director Faber and members of the Auburn Urban Tree Board to recognize Ms. Dollinger.

**b) Proclamation – “Miss Auburn Scholarship Program”**

Mayor Lewis read and presented the Miss Auburn Scholarship Program proclamation declaring February 4 and 5, 2010 as Miss Auburn Scholarship Pageant Days to Co-Executive Director Donna Hamilton.

The following Miss Auburn contestants were present:

Contestant Name

Amanda Hainer  
Courtney Kindell  
Alicia Damis  
Jackie Guyette  
Julie Ho  
Linda Borboa  
Sara Johnson  
Meghan Bruya  
Alyssa Opland  
Anne Partridge  
Kate Garbe  
Angeleah Tena  
Julie Heffernan  
Raquel Robayo-Krause  
Ami Moore  
Daniela Ferrell  
Jennifer Russell  
Hayley McJunkin

**c) Barrier Free Playground**

Parks, Arts and Recreation Director Faber presented an update on the Barrier Free Playground using a PowerPoint presentation.

The barrier-free playground would allow all children, regardless of ability to play side-by-side. It will be a unique amenity for Auburn with a regional reach. The 32,000 square foot playground will be located at Les Gove Park and will include universally accessible

pathways and surfacing; play structures configured to support all levels of development; ramps, bridges and transfer stations allowing every child to reach the highest play deck; elevated sand tables, interactive wall, activity panels, and auditory elements; and cozy spots where everyone can gather. Mr. Faber displayed several examples of the play structures and amenities.

Director Faber reported that the City is working with a 501(c)3 partner, Northwest Parks Foundation, to raise the \$300,000 needed to construct the playground. The City is also seeking donations through grants, businesses, individuals, service clubs and others. To date, the City has received \$189,670 in funding and donations.

**2. Appointments**

There was no appointment for Council consideration.

**D. Agenda Modifications**

There was no change to the agenda.

**II. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE**

**A. Public Hearings**

**1. Mid-biennial Review and Modification of the 2009-2010 Biennial Budget**

F3.22

City Council to conduct a public hearing to receive public comments and suggestions with regard to the proposed mid-biennial review and modification of the 2009-2010 Biennial Budget.

Finance Director Coleman presented a PowerPoint presentation for the mid-biennial review and modification of the 2009-2010 Biennial Budget.

Director Coleman reported that several changes were made to the 2009 Budget, and those changes have been included in the mid-term correction.

Director Coleman reviewed the following 2010 Budget global changes:

- Reduction of the COLA to unaffiliated staff through furloughs
- Negotiations with affiliated groups are ongoing
- 25% reduction in contribution rates to Equipment Rental fund
- 30% reduction in contributions to Information Services
- 18% reduction in contributions to Multi Media
- Increase in contribution to Facilities as new City Hall Annex comes on line

Director Coleman explained that the proposed three percent COLA will be off set by a forty-hour furlough which will reduce the COLA by nearly two percent.

The reductions in Equipment Rental and Information Services will be achieved by extending the life of equipment.

Director Coleman advised that the 2010 Budget includes designated fund balance for SCORE (South Correctional Entity) start up costs and staff transfer. The Police Department budget realized a savings of approximately \$650,000 in 2009 which will be carried over for the SCORE start up costs.

The 2010 revenue estimate has been reduced from \$52,522,400 to \$49,105,799. Approximately \$3.2 million has been reduced from the 2010 expenditures. Director Coleman reviewed the reductions in revenue and the expenditure highlights.

Director Coleman pointed out that the City's assessed valuation has decreased by 11.66 percent.

Councilmember Peloza inquired regarding the Equipment Rental fees. Director Coleman explained that a reduction in Equipment Rental fees will be effected through extending the life of vehicles from five years to seven years. At seven years, the rolling stock will go through a checkpoint to evaluate the mileage, condition and purpose of the vehicle before it is replaced.

In response to an inquiry from Councilmember Haugen, Director Coleman reported that the net increase to the Facilities budget for the City Hall Annex is approximately \$265,000. Facilities costs include utilities, insurance, and property management.

Mayor Lewis opened the public hearing at 8:15 p.m. There was no audience comment and the hearing was closed.

**2. 2010-2015 Six Year Transportation Improvement Program**

O4.9.3

State law requires the City of Auburn to annually prepare and adopt a comprehensive transportation improvement program for each ensuing six calendar years. Prior to adoption of a six year transportation program a public hearing is held to review the work accomplished under each Six Year Transportation Improvement Program for the purpose of determining current city street needs, and to adopt a revised and extended comprehensive transportation improvement program.

Using a PowerPoint presentation, Traffic Engineer Para presented the staff report for the Six Year Transportation Improvement Program. State law requires the City of Auburn to annually prepare and adopt a comprehensive transportation improvement program. The program must be financially constrained for the first three years. The program provides a planning and budgeting tool and facilitates regional project planning and coordination.

The 2010-2015 Transportation Program includes twenty-two new projects and studies consisting of four roadway projects, three intersection projects, three Intelligent Transportation System projects, three non-motorized projects and nine studies and miscellaneous projects. This year's Transportation Improvement Program update document includes a revised format consistent with the Capital Facilities Plan and a simplified project matrix.

Mayor Lewis opened the public hearing on the Transportation Improvement Program at 8:28 p.m. There was no audience comment and the hearing was closed.

*(See Item VIII.B.2, Resolution No. 4544, for further action on this item.)*

**B. Audience Participation**

*This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided.*

George Lyden, 7315 4<sup>th</sup> Avenue NE, Seattle

Mr. Lyden spoke in support of the applicant's request for Comprehensive Plan Map amendment #5. He distributed copies of the site and vicinity maps for the affected property. He noted that the staff recommendation is to deny the Comprehensive Plan Map amendment, but the Planning Commission voted to approve the amendment. Mr. Lyden contended that the property is no longer part of the Auburn North Business Area Plan as the streets and wetlands have separated the property from the North Business Area. He urged the Council's affirmative vote on proposed Comprehensive Plan Map amendment #5.

Windy Beach, 31607 118<sup>th</sup> Place SE, Auburn

Ms. Beach recounted an incident with Puget Sound Energy whereby Puget Sound Energy discovered inconsistent readings of her energy meter. She was informed by Puget Sound Energy that she would be backbilled for over twenty-three months of service, or approximately \$900. Ms. Beach expressed dissatisfaction with the backbilling procedure and reported that she has contacted several agencies for relief. Ms. Beach believes that Puget Sound Energy should be responsible for their faulty equipment.

Hans Korge, DMP Engineering, 726 Auburn Way North, Auburn

Mr. Korge spoke in favor of Comprehensive Plan Map amendment #6.

Leslie K. Hamata, 28026 189<sup>th</sup> Avenue SE, Covington

Ms. Hamata advised that she is a member of PAID, People Advocating Independent Democracy. Ms. Hamata spoke against Resolution No. 4551 and the removal of Councilmember Haugen from Council committee assignment.

**C. Correspondence**

There was no correspondence for Council review.

**III. COUNCIL COMMITTEE REPORTS**

A3.7.6

**A. Municipal Services**

Chair Cerino reported the Municipal Services Committee met November 23, 2009. The Committee approved consent items and Resolution No. 4540 relating to the Comprehensive Emergency Management Plan. The Committee discussed the solid waste interlocal agreement, mercury and secure medicine recycling, and helicopter noise regulation. The next regular meeting of the Municipal Services Committee is scheduled for December 14, 2009 at 4:00 p.m.

**B. Planning & Community Development**

Deputy Mayor Singer reported the Planning and Community Development Committee met November 23, 2009. The Committee reviewed Ordinance No. 6282 relating to open space taxation and the current use assessment tax program, Comprehensive Plan amendments, an update on the Green River flood preparations, the Transportation Improvement Program, and school impact fees. The next regular meeting of the Planning and Community Development Committee is scheduled for December 14, 2009 at 5:00 p.m.

**C. Public Works**

Chair Wagner reported the Public Works Committee met this afternoon. The Committee approved two right-of-way use permits and several contract administration items. The Committee approved Resolution No. 4544 adopting the Six Year Transportation Improvement Program and Resolution No. 4540 adopting a new Comprehensive Emergency Management Plan. The Committee also discussed budget amendments, the Auburn Area Chamber of Commerce contract for tourism activities, two contracts for lobbying services, the 2010 Save Our Streets Program, utility rates, status of public works projects, capital projects, and a franchise extension with Comcast for cable other related services. The next regular meeting of the Public Works Committee is scheduled for December 21, 2009 at 3:00 p.m.

**D. Finance**

Vice Chair Peloza reported the Finance Committee met this evening at 6:30. The Committee reviewed and approved claims and payroll vouchers. The Committee discussed the Auburn Area Chamber of Commerce activity report for the year 2009, the Comcast cable franchise extension, budget amendments 3 and 4,

a contract with the Chamber of Commerce for tourism activities in 2010, and consulting services agreements with Thompson Smith Consulting and Washington Advocates<sup>2</sup>. The next regular meeting of the Finance Committee is scheduled for December 21, 2009.

**E. Community Center**

The Community Center Committee has not met since the last Council meeting.

**F. Downtown Redevelopment**

Chair Norman reported the Downtown Redevelopment Committee met November 24, 2009. The Committee discussed runoff control from the awnings in the downtown. The Committee also discussed the City Hall plaza updates and reviewed the plan submitted by the Alpert team. The next meeting of the Downtown Redevelopment Committee will be held December 8, 2009 at 4:00 p.m.

**G. Committee on Committees**

Chair Wagner reported the Committee on Committees met this evening at 7:00 p.m. The Committee recommended changes to Resolution No. 4551 which will be proposed as amendments to the resolution this evening.

**IV. REPORTS**

*At this time the Mayor and City Council may report on significant items associated with their appointed positions on state, regional and local organizations.*

**A. From the Council**

Deputy Mayor Singer reported that the Puget Sound Regional Council Executive Committee approved the Vision 2040 transportation plan alternative last week.

Councilmember Pelosa reported that he attended the Airport Advisory Board meeting, which included discussion of hangar facilities, an Automatic Weather Observation System, and open hangar availability marketing. Councilmember Pelosa also attended meetings of the King County Pollution Advisory Committee where the main topic of discussion was flooding mitigation; the Lower Green Agricultural Commission subcommittee where discussion included the creation of a drainage district in the northwest Auburn area near 277<sup>th</sup>; a joint meeting of King County Solid Waste Management Advisory Committee and the Solid Waste Advisory Committee which included review of the



draft Comprehensive Solid Waste Management Plan; and the Regional Water Quality Committee where discussion centered on reclaimed water.

Councilmember Haugen reported that she participated in a Council tour of the City's ongoing flood preparations. Councilmember Haugen thanked Public Works Director Dowdy for the tour.

**B. From the Mayor**

Mayor Lewis reported that he continues to work on transportation issues in several different forums and stressed the importance for Auburn representatives at each of the meetings. Mayor Lewis also reported on a meeting with the King County Executive regarding King County's planned elimination of human services and animal control funding in 2010 as well as other service reductions. Mayor Lewis also reported on discussions with the state regarding continuation of sales tax mitigation for those valley cities financially impacted by Streamlined Sales Tax.

**V. CONSENT AGENDA**

*All matters listed on the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion in the form listed.*

**A. Minutes**

- 1. Minutes of the November 16, 2009 regular City Council meeting.**
- 2. Minutes of the November 5, 2009 special City Council meeting.**

**B. Vouchers**

F4.9.2, F4.9.5

**1. Claims**

Claims check numbers 390464 through 390974 in the amount of \$3,624,208.24 and dated December 7, 2009.

**2. Payroll**

Payroll check numbers 527750 to 527891 in the amount of \$380,428.39 and electronic deposit transmissions in the amount of \$1,222,788.67 for a grand total of \$1,603,217.06 for the pay period covering November 11, 2009 to December 2, 2009.

## C. Contract Administration

### 1. Public Works Consultant Agreement Number AG-C-255

A3.16.9, O4.9.1 C207A

City Council grant permission to enter into Amendment No. 5 to Consultant Agreement No. AG-C-255 with INCA Engineers, Inc. for Engineering Services for Project No. C207A – A Street NW Extension.

### 2. 2010 Annual On-Call Agreements

A3.16.9

City Council to approve Amendments to Annual On-Call Agreements for 2010 as follows:

<u>Annual On-Call Agreements</u>	<u>Professional Service</u>	<u>Total Not to Exceed</u>
		<u>Amount</u>
Eden Advanced Pest Tech. AG-S-025	Monitoring Mosquito Larval Sites	\$60,000
Brown & Caldwell AG-C-362	Storm & Sewer Utility Modeling Support	\$50,000

### 3. Public Works Agreement Number CP0741

O4.9.1 CP0741

City Council approve Final Pay Estimate No. 6 to Contract 08-03 in the amount of \$142.50, for a total contract price of \$166,415.46, with Evergreen Landscape & Construction, Inc. and accept construction of Project No. CP0741, A Street SE Pedestrian Improvements.

### 4. Public Works Project Number CP0815

O5.2 CP0815

City Council approve Final Pay Estimate No. 2 to Contract 09-02 in the amount of \$0 for a total contract price of \$37,405.20 with Bernard Commercial and accept construction of Project No. CP0815, S. 277<sup>th</sup> St. Reconstruction Project Phase II – Mary Olson Farm Improvements.

Deputy Mayor Singer moved and Councilmember Wagner seconded to approve the Consent Agenda.

MOTION CARRIED UNANIMOUSLY. 6-0.

## VI. UNFINISHED BUSINESS

There was no unfinished business.

**VII. NEW BUSINESS**

There was no new business.

**VIII. ORDINANCES AND RESOLUTIONS**

**A. Ordinances**

**1. Ordinance No. 6280**

03.4.2.1.2

An Ordinance of the City Council of the City of Auburn, Washington, relating to Planning, adopting Comprehensive Plan Map and Text Amendments pursuant to the Provisions of Revised Code of Washington Chapter (RCW) 36.70A

Councilmember Norman moved and Deputy Mayor Singer seconded to approve Ordinance No. 6280 and all Comprehensive Plan amendments with the exception of Comprehensive Plan Map amendment #5, which will be addressed separately.

MOTION CARRIED. 5-1. Councilmember Haugen voted no.

Deputy Mayor Singer reported that at the Public Works Committee meeting today, members were provided a new map of the subject area and the Auburn North Business Area. Deputy Mayor stated that after seeing the map, the alignment of the A/B Street corridor, and the wetlands in the area, she realized that the area is not appropriate for commercial zoning. She spoke in favor of approving the requested Comprehensive Plan map amendment.

Councilmember Norman moved and Councilmember Singer seconded to approve Comprehensive Plan Map amendment #5 to change the land use designation to light industrial rather than light commercial.

Councilmember Wagner concurred with Deputy Mayor Singer's comments and spoke in favor of the applicant's request, Comprehensive Plan Map amendment #5.

Councilmember Peloza spoke in favor of Comprehensive Plan Map amendment #5 and changing the land use designation from C1 to M1.

[Councilmember Wagner left at this time (9:15 p.m.)].

Councilmember Norman stated that staff members in making their recommendation were following direction of the Council and the Council's policy and vision regarding the A/B corridor. Councilmember Norman spoke in favor of Comprehensive Plan Map amendment #5 and the applicant's request.

Councilmember Cerino concurred with Councilmember Norman and expressed support for Comprehensive Plan Map amendment #5.

Councilmember Haugen spoke in favor of Comprehensive Plan amendment #5.

MOTION CARRIED. 5-0.

**2. Ordinance No. 6281**

O3.5 PLT09-0007

An Ordinance of the City Council of the City of Auburn, Washington, approving the final plat of Trail Run, Division No. 3

Councilmember Norman moved and Deputy Mayor Singer seconded to introduce and adopt Ordinance No. 6281.

MOTIOIN CARRIED. 4-1. Councilmember Haugen voted no.

**B. Resolutions**

**1. Resolution No. 4540**

O1.8.3

A Resolution of the City Council of the City of Auburn, Washington, adopting a new City of Auburn Comprehensive Emergency Management Plan (CEMP), replacing and superseding the prior plans

Councilmember Cerino moved and Councilmember Peloza seconded to adopt Resolution No. 4540.

MOTION CARRIED UNANIMOUSLY. 5-0

**2. Resolution No. 4544**

O4.9.3

A Resolution of the City Council of the City of Auburn, Washington, approving the 2010-2015 Transportation Improvement Program of the City of Auburn pursuant to Revised Code of Washington (RCW) Chapter 35.77 of the laws of the State of Washington

Councilmember Cerino moved and Deputy Mayor Singer seconded to adopt Resolution No. 4544.

MOTION CARRIED UNANIMOUSLY. 5-0.

**3. Resolution No. 4551**

A3.7.1

A Resolution of the City Council of the City of Auburn, Washington, repealing Resolution No. 4429 passed December 15, 2008, as amended by Resolution No. 4484 on May 18, 2009, and designating the members, powers, duties and meeting times and days of all standing committees of the City Council of the City of Auburn

(Resolution No. 4551 was taken out of order and acted on immediately following Item IV.B, Mayor's Report.)

Councilmember Wagner moved and Councilmember Singer seconded to adopt Resolution No. 4551, with the following amendments: in Section 2, Item F, Downtown Redevelopment Committee, replace Bill Peloza with Sue Singer, and in Section 4, Item A, change the Public Works Committee meeting time to 3:30 p.m.

Councilmember Haugen inquired as to the reason the initial committee membership recommendation, which included Councilmember Haugen's membership on the Municipal Services Committee, was changed. Councilmember Haugen asked for documentation as to the reason she is excluded from membership on Council Committees.

Councilmember Wagner reported that Councilmember Haugen attended the Committee on Committees meetings on November 30 and December 7, 2009, as a non-participating Councilmember, where Councilmember Haugen heard the discussion by the Committee on Committees regarding Committee membership. Councilmember Wagner, who is Chair of the Committee on Committees, stated that the Committee felt the recommended Council Committee membership is best to accomplish Council Committee work; it is not intended to punish or leave anyone out.

Councilmember Haugen argued that she has never been informed as to the reason she is being removed from the Municipal Services Committee.

MOTION CARRIED. 5-1. Councilmember Haugen voted no.

**IX. EXECUTIVE SESSION**

At 9:21 p.m., Mayor Lewis recessed the meeting for a five minute intermission and then to executive session for approximately fifteen minutes to discuss pending litigation pursuant to RCW 42.30.110(1)(i). Staff members required for the executive session were: City Attorney Heid; Human Resources and Risk/Property Management Director Heineman; Finance Director Coleman; Public Works Director Dowdy; and Interim Planning Director Snyder.

Mayor Lewis reconvened the regular meeting at 9:39 p.m.

**X. ADJOURNMENT**

There being no further business to come before the Council, the meeting adjourned at 9:39 p.m.

APPROVED THE \_\_\_\_\_ DAY OF DECEMBER, 2009.

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Peter B. Lewis, Mayor

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Danielle Daskam, City Clerk

*City Council agendas and minutes are available to the public at the City Clerk's Office, on the City website, and via e-mail. Complete agenda packets are available for review at the City Clerk's Office and at the Library.*

Internet: <http://www.auburnwa.gov>